

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
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-v-	:	
	:	20-cr-110 (LJL)
LAWRENCE RAY,	:	
	:	<u>ORDER</u>
Defendant.	:	
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LEWIS J. LIMAN, United States District Judge:

WHEREAS, the Court and the parties seek to ensure that Lawrence Ray (“Ray”) continues to have meaningful access to review discovery and other case materials while detained by the Bureau of Prisons;

WHEREAS, the Court recognizes that Ray and his counsel may have greater need to review discovery and other case materials in the weeks before the March 8, 2022 trial than in the past;

WHEREAS, the Court finds that Ray should have access to his Laptop as set forth below for at least 21 hours per week and at least 3 hours per weekday; and

WHEREAS, the Court seeks to ensure that such discovery access does not jeopardize the security and operational interests of the Bureau of Prisons;

IT IS HEREBY ORDERED that

1. Ray shall continue to have access to the password-protected “air-gapped” laptop computer (the “Laptop”) that is disabled from accessing the internet, local area networks, or other electronic devices, which had been provided to Mr. Ray while he was housed at the Metropolitan Correctional Center;
2. Ray shall continue to have access to discovery materials that previously have been sent to him by the Government on CDs/DVDs/external drives (“Discovery Materials”);¹
3. Upon receipt of additional necessary external drives from counsel for Ray (“Additional Drives”), the Government shall deliver the Additional Drives to the

¹ The Government also is ordered to reproduce to Mr. Ray on a hard drive the discovery that previously has been produced only on disc without which Mr. Ray would need access to an external CD/DVD drive.


proper authorities at the Bureau of Prisons facility where Ray is housed on the same schedule it was ordered to produce materials to defense counsel in the Court's Order of January 7, 2022, Dkt. No. 280;

4. The Laptop, the Discovery Material, and the Additional Materials shall be maintained in a location acceptable to Bureau of Prisons personnel;
5. Bureau of Prisons personnel will provide Ray with access in his cell to the Laptop, the Drive, the Discovery Material, and the Additional Materials for at least 3 hours per day, 7 days a week or, in the alternative, for a total of at least 21 hours a week (and at least 3 hours per weekday), at the discretion of the Bureau of Prisons;
6. This Order remains in effect until the trial in this matter is completed and a copy of this Order shall be made available to any unit where Ray is housed;
7. Ray shall execute an agreement setting forth his understanding that
 - a. he may use the Laptop, the Discovery Material, and the Additional Materials for the sole purpose of reviewing discovery and legal materials that relate to his criminal case;
 - b. his review is subject to the Protective Orders issued by this Court;
 - c. he shall not share the Laptop, the Discovery Material, and the Additional Materials or the materials loaded onto the Laptop with other incarcerated individuals or with any attorney not appointed to this case without an order of this Court;
 - d. he will not access or attempt to access the internet or any form of wireless communication; and
 - e. he will forfeit his right under this Order to use the Laptop and that he may expose himself to criminal prosecution for possessing or distributing a "prohibited object" as that term is defined in 18 U.S.C. § 1791(d) in the future, should he violate any of these understandings.
8. Ray shall immediately receive access to the Laptop, the Discovery Material, and the Additional Materials subject to the following conditions:
 - a. Ray shall not have possession of any charging apparatus or cord that connects to the laptop;
 - b. Bureau of Prisons personnel will provide Ray with access in his cell to the Laptop, the Discovery Material, and the Additional Materials for at least either 3 hours per day, 7 days a week or at least 21 hours a week (and at least 3 hours per weekday), at the discretion of the Bureau of Prisons. Bureau of Prisons personnel should not wait for Ray to make additional daily requests but should provide the Laptop, the Discovery Material, and the Additional Materials to him every day;
 - c. If necessary for Ray to have the allotted time each day, Bureau of Prisons personnel will charge the Laptop and return it to Ray to continue his review.

9. Upon receipt of the necessary external drives from counsel for Ray, the Government shall produce to defense counsel an identical copy of the materials produced to Ray to facilitate defense counsel and Ray discussing the materials.

SO ORDERED.

Dated: February 3, 2022
New York, New York



LEWIS J. LIMAN
United States District Judge